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CONSTITUTION (STATUTES) OF THE TRADE UNIONS
OF THE PEOPLE'S REPUBLIC OF CHINA

(Adopted by the Seventh All-China Congress of
Trade Unions, 10 May 1953)

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CONSTITUTION OF THE TRADE UNIONS OF THE
PEOPLE'S REPUBLIC OF CHINA

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Preamble

The Chinese working class, under the leadership of the Communist Party of China and its great leader Comrade Mao Tse-tung, has waged a protracted struggle in which it established the closest alliance with the peasants, formed a united front with all patriotic and democratic forces to fight against imperialism, feudalism and bureaucratic capitalism and consequently defeated the foreign imperialists and the internal counter-revolutionaries, thereby achieving great victory in the people's democratic revolution.

It was after the birth of the Chinese Communist Party--a party of the Chinese working class itself--and under its direct leadership that the working-class movement of present-day China progressed along the road to victory.

The trade unions of China led by the Communist Party have rallied the broad masses of the workers around the Party and have thus become transmission belts between the Party and the masses. After the establishment of the people's democratic dictatorship, the trade unions under the leadership of the Party have become a school of administration, a school of management and a school of communism for the workers.

The trade unions of China are mass organizations of all manual and non-manual workers living entirely or mainly on their wages, formed on a voluntary basis without distinction of nationality, sex or religious beliefs.

The People's Republic of China is a republic led by the working class. Hence, the interests of the state and the common interests of the entire people constitute the fundamental interests of the working class. The trade unions, on behalf of the workers, should therefore take an active part in the enactment of laws and decrees of the state concerning production, labour as well as the material and cultural life of the workers, firmly support and carry out all the policies, laws and decrees of the People's Government, and serve as firm social pillars of the people's democratic dictatorship.

The most important tasks of the trade unions of China during the period of national construction are to strengthen the unity of the working class, to consolidate the alliance of workers and peasants, to educate the workers to observe consciously the laws and decrees of the state and labour discipline, to strive for the development of production, for the constant increase of labour productivity, for the fulfilment and over-fulfilment of the production plans of the state, for speedy industrialization of the country and for steady advancement towards socialism. The trade unions should constantly show concern for the improvement of the living and working conditions of the workers and, on the basis of developing production, gradually but actively improve the material and cultural life of the workers.

In the state-owned enterprises, the workers are the masters of the enterprises, and it should be the sacred duty of the trade unions to mobilize and organize the workers to ensure the fulfilment and over-fulfilment of the state production plans.

In enterprises jointly owned by state and private capital and in the enterprises which regularly do processing work for the state, it is the paramount duty of the trade unions to raise production and to supervise the implementation of contracts.

In privately-owned enterprises, although the workers are still subjected to exploitation, their political rights and legitimate economic interests are afforded effective protection by law of the state and by the trade union organizations. Therefore it is also the duty of the trade unions in the privately-owned enterprises to organize and educate the workers to raise production and see to it that the capitalists are observing the government laws and decrees, thus enabling these enterprises to play an active part in the national welfare and people's livelihood under the leadership of the state-owned sector of national economy. This conforms with the fundamental interests of the working class.

The trade unions of China are organized along the industrial lines, based on democratic centralism. They must take collective leadership, persuasion and education as main methods of their work. They must show concern over the interests of the masses, crystallize their views and promote criticism and self-criticism. They must consistently pay attention to the fight against bureaucracy and commandism which separate them from the masses, and at the same time, constantly improve the organization and discipline of the workers.

The trade unions of China must constantly educate the workers in internationalism and actively take part in the international working-class movement. They must strive for the unity and solidarity of the movement and for the defence of lasting peace in the Far East and throughout the world.

Chapter I

Membership

Article 1

Membership in the trade unions shall be open to all manual and non-manual workers, whose wages constitute their sole or main means of living, and who accept the Constitution of the Trade Unions.

Article 2

Admission to trade union membership is accepted only when a personal application is made on a voluntary basis and when such application has been accepted by a trade union group and approved by the basic committee or the workshop committee of the trade union concerned.

Article 3

Trade union members have the right:

- a. To elect and to be elected;
- b. To make proposals and suggestions to the trade union organizations for the improvement of trade union work;
- c. To criticize at trade union meetings or in trade union press any trade union functionaries;
- d. To enjoy priority in the various collective cultural and welfare establishments conducted by the trade unions.

Article 4

Trade union members have the duty:

- a. To observe laws and decrees of the state and labour discipline;
- b. To take good care of public property;
- c. To assiduously engage themselves in political, technical and cultural studies so as to raise their class consciousness and working ability;
- d. To observe the trade union Constitution and decisions and pay membership dues punctually.

Article 5

Any trade union member who breaches the Constitution of the Trade Unions, violates discipline or fails to pay membership dues for more than three months without reason, shall, according to specific cases, be advised, warned or publicly warned, or expelled from the trade union.

Chapter II

Organizational Structure

Article 6

The trade unions of China are built along industrial lines and on the basis of democratic centralism.

The basic system is as follows:

- a. The leading bodies of the trade unions of all levels are to be elected democratically from the bottom up by the membership, and should submit reports on their work at regular intervals to the membership;
- b. The trade unions of all levels shall carry on their work in accordance with the Constitution and decisions of the Trade Unions;
- c. The trade unions shall make decisions only by a majority vote of the members present at the meeting;
- d. The lower trade union organizations shall obey the higher trade union organizations.

Article 7

The organizational principle of industrial unions is as follows: All trade union members in the same enterprise or institution are organized in one single basic organization; all trade union members in the same industrial branch of the national economy are organized in the same national industrial union.

Article 8

The trade union councils of provincial, city, county or town level are the joint leading bodies of the local trade union organizations and the industrial unions in the given province, city, county or town.

Article 9

The supreme authority of the trade unions of different levels is the general meeting of trade union members or the meeting of their representatives (for basic organizations), the congresses (for trade union organizations of provincial, city, county or town level), and the All-China Congress of Trade Unions (for the whole country).

The general membership meetings and congresses shall elect the trade union committees of the various levels--the workshop committee, basic committee, county committee, city committee, provincial committee, national committee and the Executive Committee of the All-China Federation of Trade Unions. The above committees are the executive bodies of the trade unions of various levels and are held responsible for directing the day-to-day work of the various trade unions concerned.

New elections of a trade union may be advanced on the suggestion of more than one-third of its membership and with the approval of a higher trade union body.

Article 10

The trade union committees of all levels in the intervals between congresses may hold representative conferences to sum up and exchange experiences in work.

Article 11

The trade union committees of all levels may set up various departments or permanent working committees according to the needs of work.

Chapter III

The Supreme Leading Body of the Trade
Unions in the Country

Article 12

The supreme leading body of the trade unions in the People's Republic of China is the All-China Federation of Trade Unions.

Article 13

The supreme authority of the trade unions of the People's Republic of China is the All-China Congress of Trade Unions, which has the power:

- a. To hear and approve the reports made on the Executive Committee and the Auditing Commission of the All-China Federation of Trade Unions;
- b. To define the policies and tasks of the trade unions throughout the country and hear the reports of the economic and cultural agencies of the Central People's Government, so as to devise measures to guarantee the fulfilment and over-fulfilment of the economic plans of the state;
- c. To amend and approve the Constitution of the Trade Unions of the People's Republic of China;
- d. To define the tasks of the trade unions of China in the international working-class movement;
- e. To elect the Executive Committee and the Auditing Commission of the All-China Federation of Trade Unions.

Article 14

The All-China Congress of Trade Unions shall be convened every four years by the Executive Committee of the All-China Federation of Trade Unions.

Article 15

The members and alternate members of the Executive Committee and the Auditing Commission of the All-China Federation of Trade Unions shall be elected in accordance with the number of members determined by the All-China Congress of Trade Unions.

Article 16

In the intervals between All-China Congresses of Trade Unions the Executive Committee of the All-China Federation of Trade Unions is responsible for the thorough implementation of the decisions of the Congress and for the direction of the trade union work throughout the country.

Article 17

The Executive Committee of the All-China Federation of Trade Unions shall elect at its plenary session a Presidium and a Secretariat. When the Executive Committee is not in session, the Presidium is the supreme leading body of the trade unions throughout the country, and is responsible for carrying out the decisions of the All-China Congress of Trade Unions and of the plenary session of the Executive Committee, and directing all trade union work all over the country. The Secretariat attends to the routine trade union work throughout the country under the guidance of the Presidium.

Article 18

The auditing commissions of different levels are responsible for the examination of the financial matters of the trade unions of the corresponding levels.

Article 19

The highest leading body of each industrial union is its national committee. The supreme authority of an industrial union is its national congress, which shall be convened every three years by the national committee of the industrial union concerned.

Its functions are:

- a. To hear and approve reports made by the national committee and auditing commission of the industrial union;
- b. To hear reports of the related authorities of the Central People's Government, and define the policies and tasks of the industrial union;
- c. To amend and approve the regulations of the industrial union;
- d. To elect the national committee and the auditing commission.

Article 20

In the intervals between the national congresses of an industrial union, its national committee is responsible for the carrying out of the decisions of its congress and of the All-China Federation of Trade Unions and elects a presidium or standing committee to direct the routine work.

Chapter IV

Local Trade Union Organizations

Article 21

The All-China Federation of Trade Unions may set up branch offices or working committees in the various administrative areas. Their function is to direct on behalf of the All-China Federation of Trade Unions, the work of the provincial and city trade union councils and the local industrial unions.

The provincial and city trade union councils are the joint leading bodies of the local trade union organizations and industrial unions in their respective provinces and cities.

The provincial and city councils may, according to the needs of work, set up branch offices in the special regions and urban districts to supervise and examine local trade union work.

Article 22

The committees of the provincial and city trade union councils shall be elected by their respective provincial and city trade union congresses.

The provincial, city and mining area committees of industrial unions shall be elected by the provincial, city and mining area congresses of the respective industries.

Article 23

The supreme authority of the provincial and city trade union councils as well as the provincial, city and mining area committees of industrial unions is their respective congresses which shall hear reports on the activities of the trade union committees and auditing commissions of their corresponding levels, define the immediate tasks and elect the trade union committees and the auditing commissions.

Congresses of the provincial trade union councils as well as the trade union councils of those cities under the direct jurisdiction of the Central People's Government, and provincial congresses of industrial unions shall be convened every two years by the trade union committees of the corresponding levels.

Congresses of trade union councils of those cities under the jurisdiction of the province and congresses of industrial unions in cities and mining areas shall be convened every year by the respective committees.

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Article 28

The general membership meeting or the meeting of representatives in an enterprise or establishment is the supreme authority of a basic trade union organization. The general membership meeting or the meeting of representatives shall be convened every year or half a year. Its functions are: to hear and approve reports on the activities of the basic trade union committee and auditing commission, to hear report on the activities of the administration of the enterprise or establishment, to define the tasks and concrete programme of work of the basic trade union committee, and to elect the basic trade union committee and auditing commission.

Article 29

Each basic trade union committee shall elect a chairman and several vice-chairmen, and establish permanent or temporary working committees according to the needs of work.

Article 30

The tasks of the basic trade union organizations are:

- a. To organize all the workers, technical personnel and staff members in labour emulation drives, to strengthen labour discipline, and to guarantee the fulfilment and over-fulfilment of the production plan of the state;
- b. To show constant concern over the improvement of the material and cultural life, and the working conditions of the entire body of workers, technical personnel and staff members; to help and supervise the managements or the capitalists in the thorough carrying out of the laws and decrees of the People's Government concerning labour protection and labour insurance;
- c. To organize cultural, political and technical studies, as well as cultural and sport activities for all workers, technical personnel and staff members;
- d. To admit new trade union members, collect trade union dues and report regularly to higher trade union organizations and the membership about its activities and financial conditions.

Article 31

The basic trade union committee may set up workshop (department) committees to lead trade union activities in the workshops (departments). Each workshop (department) committee shall elect a chairman (and several vice-chairmen in case of big workshops) and may establish such permanent or temporary working committees if required.

Article 32

Under the basic trade union committee or workshop (department) committee, trade union groups may be formed according to production units or office units. A trade union group shall elect a group leader and, if necessary, also a deputy leader, a labour protection inspector, a labour insurance steward, and cultural and educational functionaries to assist the group leader.

Chapter VI

Funds

Article 33

Sources of trade union funds:

- a. Admission fees of new members. A new member is to pay an admission fee 1 per cent of his total wage of the month previous to his admission;
- b. Membership dues. Each member is to pay regular 1 per cent of his monthly wage as membership dues;
- c. Proceeds from cultural and sport activities sponsored by the trade unions;
- d. Allocations by the managements or capitalists of enterprises as trade union funds in accordance with the Trade Union Law.

Article 34

The trade unions of all levels shall spend their funds in accordance with estimates approved by their higher trade union organizations and the financial and accounting systems set up by the All-China Federation of Trade Unions. They should report at regular intervals to the membership and to the higher trade union organizations on their financial accounts. The report on financial accounts is to be examined and signed by the chairman of the auditing commission.

Article 35

The systems of finance and budget and accounts of the trade unions shall be fixed separately by the All-China Federation of Trade Unions.

Chapter VII

Appendices

Article 36

This Constitution shall come into effect after being adopted by the Seventh All-China Congress of Trade Unions and the right of interpretation of the Constitution rests with the Executive Committee of the All-China Federation of Trade Unions.

Article 37

Should there be any imperfection in the Constitution, the right of revision rests with the All-China Congress of Trade Unions.

Article 38

The industrial trade unions may formulate their own rules according to the specific conditions of their industries, but such rules shall not contradict the present Constitution.

Article 39

Regulations governing the organization of trade union councils for handicraft workers will be formulated separately.